

### REMARKS

In the Office Action<sup>1</sup>, the Examiner rejected claims 1, 3-9, and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,738,905 to Kravitz et al. ("*Kravitz*") in view of U.S. Patent No. 5,010,571 to Katznelson ("*Katznelson*").

By this amendment, Applicants amend claim 1. Claims 1, 3-9, and 18 are pending.

Applicants respectfully traverse the rejection of claims 1, 3-9, and 18 under 35 U.S.C. § 103(a).

Claim 1 recites, among other things, a content delivery service providing apparatus comprising:

an encrypted content key control unit, separate from the encrypted content control unit, which . . . registers all of or a part of the medium information on medium key information in the information storage medium and, using the medium information on medium key information . . . , encrypts the content key . . . , and issues the encrypted content key to the terminal unit of the requesting user.

*Kravitz* and *Katznelson*, alone or in combination, fail to disclose or suggest the claimed encrypted content key control unit.

*Kravitz* discloses a content provider. Abstract. The content provider generates and encrypts content, and then generates a key to decrypt the content. Col. 5, lines 53-60. A broadcaster can then broadcast the encrypted content to a subscriber, and the subscriber can receive the keys from a conditional access provider. Col. 5, line 57 -

---

<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Col. 6, line 5. The keys can then be used to decrypt the content. Col. 6, lines 5-9.

However, *Kravitz* does not disclose or suggest the claimed features recited in independent claim 1 of:

an encrypted content key control unit, separate from the encrypted content control unit, which . . . registers all of or a part of the medium information on medium key information in the information storage medium and, using the medium information on medium key information . . . , encrypts the content key . . . , and issues the encrypted content key to the terminal unit of the requesting user.

This is consistent with the Office Action's concession, that "*Kravitz* does not explicitly disclose registering medium information." (*Office Action* at p. 5)

*Katznelson* does not cure the deficiencies of *Kravitz*. *Katznelson* discloses a system for authorizing access to a file on a customer terminal. Col. 2, lines 7-11. A key terminal receives a signal and determines if the customer terminal is authorized to access a file. Col. 2, lines 16-22. A key for the file is encrypted with a unit key, which is permanently stored in each customer terminal, and the key is sent to the customer terminal. Col. 2, lines 38-45; Figure 1. Neither these portions of *Katznelson*, nor any other portions of *Katznelson*, constitutes a teaching or suggestion of:

an encrypted content key control unit, separate from the encrypted content control unit, which . . . , registers all of or a part of the medium information on medium key information in the information storage medium and, using the medium information on medium key information . . . , encrypts the content key . . . , and issues the encrypted content key to the terminal unit of the requesting user.

Accordingly, the combination of *Kravitz* and *Katznelson* fails to render claim 1 obvious. Claims 3-9 and 18 also are not obvious in view of *Kravitz* and *Katznelson* at

least due to their dependence from claim 1. Therefore, Applicants respectfully request that the rejection under 35 U.S.C. § 103 be withdrawn.

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 12, 2009

By:   
Richard V. Burgujian  
Reg. No. 312,744

Philip J. Hoffmann  
Registration No. 46,340